

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
 Stylesheet Version v1.2

ETAS ID: TM340549

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	NUNC PRO TUNC ASSIGNMENT		
<b>EFFECTIVE DATE:</b>	01/01/2015		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
KIND Inc.		01/01/2015	CORPORATION: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	KIND Management Inc.		
<b>Street Address:</b>	1372 Broadway, 3rd Floor		
<b>City:</b>	New York		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	10018		
<b>Entity Type:</b>	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 46</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	86172276	"NOT SO RANDOM" ACTS OF KINDNESS	
<b>Registration Number:</b>	4495231	A DIFFERENT KIND OF WHOLE GRAIN...	
<b>Registration Number:</b>	3504106	BE KIND TO YOUR BODY, YOUR TASTE BUDS AN	
<b>Registration Number:</b>	4294620	BR(AND)	
<b>Registration Number:</b>	4422462	BRAND PHILOSOPHY	
<b>Registration Number:</b>	4038664	CLEARING NUTS OF THEIR BAD 'WRAP'	
<b>Registration Number:</b>	3831926	DO THE KIND THING	
<b>Registration Number:</b>	4237862	DO THE KIND THING	
<b>Registration Number:</b>	4108870	DO THE KIND THING - FOR YOUR BODY, YOUR	
<b>Registration Number:</b>	4038689	EAT TWO KIND BARS A DAY, KEEP THE POUNDS	
<b>Registration Number:</b>	4034850	FILL UP WITHOUT FILLING OUT	
<b>Registration Number:</b>	4038571	GRAB HEALTH BY THE NUTS	
<b>Registration Number:</b>	4038569	HAVE YOUR KIND AND EAT IT TWO	
<b>Registration Number:</b>	4038688	HEALTHY SNACKS SHOULDN'T HAVE TO HIDE	
<b>Registration Number:</b>	3634183	INGREDIENTS YOU CAN SEE AND PRONOUNCE	
<b>Registration Number:</b>	4466296	IT'S BOLD TO BE KIND	
<b>Registration Number:</b>	4466295	IT'S COOL TO BE KIND	
<b>Registration Number:</b>	4466294	IT'S STRONG TO BE KIND	

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Property Type	Number	Word Mark
Registration Number:	3936173	MOVIES FOR MOMMIES THE ORIGINAL PARENT &
Registration Number:	3971639	KIND
Registration Number:	2984772	KIND
Registration Number:	4161495	KIND
Registration Number:	3882221	KIND
Registration Number:	4097493	KIND FRUIT + NUT
Registration Number:	4057245	KIND GIVES A NEW PURPOSE TO SNACKING
Registration Number:	4240627	KIND HEALTHY GRAINS
Registration Number:	4574891	KIND HEALTHY GRAINS
Registration Number:	4049775	KINDELICIOUS
Registration Number:	4013148	KINDINGS
Registration Number:	4053499	KINDTASTIC
Registration Number:	4038663	LOOK FINE. EAT KIND.
Registration Number:	4282821	MAKE PEACE WITH YOUR CRAVINGS
Registration Number:	4156875	NOTHING TO HIDE
Registration Number:	4372746	NOT-ONLY-FOR-PROFIT
Registration Number:	4108939	NOT-ONLY-FOR-PROFIT
Registration Number:	4282976	OUR SECRET INGREDIENT IS THAT WE HAVE NO
Registration Number:	4038690	SPOIL YOUR DINNER WITH KIND
Registration Number:	4372017	START SMALL
Serial Number:	86259273	STRONG & KIND
Serial Number:	86259265	STRONG & KIND
Registration Number:	4597283	STRONG & KIND
Registration Number:	3990614	THE NUTRITIONAL BOOST YOU NEED FROM A RE
Registration Number:	4285966	WAY GOOD, WEIGH BETTER.
Registration Number:	4108869	WE LOOK BETTER NAKED
Registration Number:	3959239	YOU SHOULDN'T HAVE TO CHOOSE BETWEEN HEA
Registration Number:	3849708	YOU'VE BEEN KINDED

#### CORRESPONDENCE DATA

Fax Number: 2126096921

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.*

Phone: 2126096800

Email: dlynch@mccarter.com

Correspondent Name: Margarita Wallach

Address Line 1: McCarter & English, LLP

Address Line 2: 245 Park Avenue, 27th Floor

Address Line 4: New York, NEW YORK 10167

<b>ATTORNEY DOCKET NUMBER:</b>	121088/00001
<b>NAME OF SUBMITTER:</b>	Margarita Wallach
<b>SIGNATURE:</b>	/mw/
<b>DATE SIGNED:</b>	05/06/2015

**Total Attachments: 9**

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## **NUNC PRO TUNC TRADEMARK ASSIGNMENT**

This *Nunc Pro Tunc* Trademark Assignment is effective as of January 1, 2015 between KIND Inc., a Delaware corporation, with a business address of 1372 Broadway, New York, New York 10018, United States ("Assignor"), and KIND Management Inc., a Delaware corporation, with a business address of 1372 Broadway, New York, New York 10018 United States ("Assignee").

**WHEREAS**, Assignor is the owner of certain trademarks including but not limited to those trademarks represented by the trademark registrations and trademark applications in the form described in Exhibit A hereto (collectively the "Marks");

**WHEREAS**, Assignor desires to assign and Assignee desires to receive *nunc pro tunc* all of Assignor's right, title and interest in and to all of the Marks and any and all goodwill of the business associated with the Marks, and all applications and registrations for the foregoing.

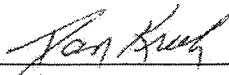
**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby contributes, transfers, assigns, and otherwise conveys *nunc pro tunc* to Assignee, its successors and assigns, all of Assignor's right, title, and interest in and to the Marks as they exist in the United States and as may be created or acquired at any date in the future in the United States, along with the goodwill of the business symbolized by or associated with the Marks, all applications and registrations for the Marks, along with all rights to proceeds of the foregoing, including without limitation, income, royalties, damages, profits and payments now or hereafter due or payable with respect thereto, and any and all rights of action of Assignor, and the right to take proceedings and to seek and recover damages and all other available remedies, against third parties for past, present, or future infringement of the Marks.

Assignor shall take such actions and shall execute and deliver all such further instruments, documents or other writings, and perform any other reasonable acts that Assignee may request, that may be necessary or appropriate to carry out and effectuate the provisions of this Assignment and to establish, enforce or defend Assignee's rights in the Marks in the United States.

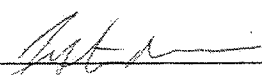
At the request and expense of Assignee, Assignor shall provide all reasonable assistance which Assignee considers necessary in connection with bringing or defending any proceedings in relation to the Marks.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment effective as of the date first set forth above.

**KIND Inc.**

By:   
Name: DAN KRUK  
Title: SVP FINANCE

**KIND Management Inc.**

By:   
Name: Justin Mervis  
Title: General Counsel

# SCHEDULE A

## UNITED STATES APPLICATIONS/REGISTRATIONS

TRADEMARK	APPLICATION NUMBER	REGISTRATION NUMBER	GOODS
"NOT SO RANDOM" ACTS OF KINDNESS	86/172,276		Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
A DIFFERENT KIND OF WHOLE GRAIN...	85/459,663	4,495,231	Class 30: Cereal-based snack food clusters consisting primarily of whole grains, nuts, fruits, seeds, and also containing other ingredients
BE KIND TO YOUR BODY, YOUR TASTE BUDS AND THE WORLD	77/314,217	3,504,106	Class 29: Healthy snacks, namely, processed fruit- and nut-based food bars, processed nut based snack food bars, fruit-based organic food bars, also containing nuts and seeds; Healthy Snacks, namely, dried fruit mixes, snack mixes consisting primarily of processed fruits and processed nuts; Healthy Snacks, namely, processed edible seeds, processed edible nuts, fresh cut-bagged vegetables; ready to eat vegetables, namely, dried vegetables, freeze dried vegetables, cut and packaged vegetables also containing snack and/or vegetable dips; Healthy Snacks, namely, fresh cut-bagged fruits, frozen fruits, frozen vegetables, ready to eat fruits, namely, freeze dried fruits, cut and packaged fruit also containing snack and/or vegetable dips
BR(AND)	85/526,452	4,294,620	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients; Cereal derived clusters consisting of nuts, fruits, seeds, whole grains and other ingredients
brAND philosophy	85/489,654	4,422,462	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients  Class 30: Healthy snacks, namely, cereal derived clusters consisting of nuts, fruits, seeds, whole grains and other ingredients
CLEARING NUTS OF THEIR BAD 'WRAP'	85/268,886	4,038,664	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
DO THE KIND THING	77/962,942	3,831,926	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit  Class 36: Charitable foundation services, namely, providing financial support to individuals who

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## UNITED STATES APPLICATIONS/REGISTRATIONS

TRADEMARK	APPLICATION NUMBER	REGISTRATION NUMBER	GOODS
			commit acts of kindness and promote the betterment of mankind
DO THE KIND THING	85/641,925	4,237,862	Class 36: Charitable foundation services, namely, providing financial support and assistance for programs and services of organizations and individuals who perform charitable acts and services for others
DO THE KIND THING-FOR YOUR BODY, YOUR TASTE BUDS, & THE WORLD!	85/384,933	4,108,870	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
EAT TWO KIND BARS A DAY, KEEP THE POUNDS AWAY	85/272,715	4,038,689	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
FILL UP WITHOUT FILLING OUT	85/255,042	4,034,850	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit and nut based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
GRAB HEALTH BY THE NUTS	85/265,811	4,038,571	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
HAVE YOUR KIND AND EAT IT TWO	85/265,799	4,038,569	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
HEALTHY SNACKS SHOULDN'T HAVE TO HIDE	85/272,701	4,038,688	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
INGREDIENTS YOU CAN SEE AND PRONOUNCE	77/524,863	3,634,183	Class 29: Soups; cheeses; nuts, namely, roasted nuts, seasoned nuts, processed mixed nuts, shelled nuts; candied almonds, macadamia nuts, brazil nuts, cashew nuts, pistachios, pecans, walnuts, peanuts, soy nuts, pine nuts, sunflower seeds, hazelnuts, filberts, and chestnuts; snacks, namely, potato-based snack foods, soy-based snack foods, vegetable based snack foods; sweet snacks, namely, fruit based snack food, candied fruit snacks, dairy based snack food, excluding ice cream, ice milk and frozen yogurt; dried fruit mixes; snack mixes consisting primarily of processed fruits and processed nuts; food bars, namely, fruit-based organic fruit bars, organic nut and seed based snack bars; processed

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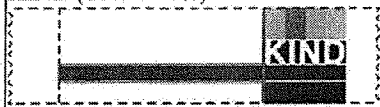
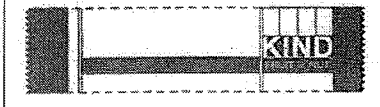
## UNITED STATES APPLICATIONS/REGISTRATIONS

TRADEMARK	APPLICATION NUMBER	REGISTRATION NUMBER	GOODS
			fruit-and nut-based food bars; nut based snack food bars, namely, nut clusters and nut crisps; fruit based snack food bars also containing grains, cereals, dried fruit and fruit juice; milk based beverages containing fruit juice, soy-based food beverages containing fruit juice and for use as a milk substitute; cut vegetables; cut fruits; frozen fruit; frozen vegetables; ready-to-eat vegetables and fruit, namely, processed vegetables and fruits; dried vegetables, dried fruits, snack dips sold together with dried vegetables and dried fruits; nutrition bars, namely, fruit based organic fruit bars, organic nut and seed based snack bars, not for use as meal replacements
It's BOLD to be KIND	85/956,075	4,466,296	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
It's COOL to be KIND	85/956,074	4,466,295	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
It's STRONG to be KIND	85/956,073	4,466,294	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
IT'S USUALLY THE NUTS THAT CHANGE THE WORLD	77/962,923	3,963,173	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
KIND	77/981,723	3,971,639	Class 29: Nutrition bars, namely, processed fruit-and-nut-based food bars, nut based snack food bars.
KIND	76/596,770	2,984,772	Class 30: Ready to eat, cereal derived food bars containing nuts
KIND	77/333,800	4,161,495	Class 25: Clothing and apparel, namely, T-shirts, sweatshirts, caps, vests, jackets  Class 29: Sweet snacks, namely, fruit based snack food, dried fruit mixes; snack mixes consisting primarily of processed fruits and processed nuts; nutrition bars, namely, nut and seed based snack bars; fruit based snack food bars also containing grains, cereals, dried fruit, fruit juice; nut based snack food



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## UNITED STATES APPLICATIONS/REGISTRATIONS

TRADEMARK	APPLICATION NUMBER	REGISTRATION NUMBER	GOODS
			Class 30: Snacks, namely, cereal based snack food; cereal based snack food bars, granola based snack food bars, grain based snack food; Snack foods, namely, granola based mixes, rice based snack food, whole grain based snack food
KIND (Trade dress) 	77/827,342	3,882,221	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
KIND FRUIT + NUT (Trade dress) 	77/721,453	4,097,493	Class 29: Nutrition bars, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
KIND GIVES A NEW PURPOSE TO SNACKING	85/096,485	4,057,245	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
KIND HEALTHY GRAINS	85/450,043	4,240,627	Class 30: Cereal-based snack food clusters consisting primarily of whole grains, nuts, fruits, seeds and also containing other ingredients
KIND HEALTHY GRAINS	86/092,499	4,574,891	Class 29: Healthy snacks, namely, food bars comprised primarily of whole grains, such as oats, brown rice, millet, amaranth, buckwheat, and quinoa, and also containing other ingredients
KINDELICIOUS	77/816,085	4,049,775	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
KINDINGS	77/903,894	4,013,148	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
KINDTASTIC	77/816,084	4,053,499	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based



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## UNITED STATES APPLICATIONS/REGISTRATIONS

TRADEMARK	APPLICATION NUMBER	REGISTRATION NUMBER	GOODS
			snack food bars also containing nuts, grains, cereals and dried fruit
LOOK FINE. EAT KIND.	85/268,870	4,038,663	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
MAKE PEACE WITH YOUR CRAVINGS	85/656,285	4,282,821	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
NOTHING TO HIDE	85/375,357	4,156,875	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
NOT-ONLY-FOR-PROFIT	77/615,310	4,372,746	Class 35: Business consulting services in the field of social business, social enterprise, and social responsibility; new business venture development and formation consulting services; business consulting services in the field of joint venture development; Public relations; business consultation and management regarding marketing of products and launching new products; Development of marketing strategies and concepts; marketing plan development; procurement, namely, purchasing packaging, raw materials, food ingredients and equipment for others in the food industry; providing advertising, marketing and promotional services, namely, development of advertising campaigns for television and print; procurement services, namely, purchasing guerrilla marketing services, design services and general business merchandising services for others; Marketing consultation for others in the field of social business, social enterprise, and social responsibility; Business venture development consulting services; business consulting services in the field of joint venture development; business consultation and management regarding marketing of products and launching new products; marketing materials and promotional materials services, namely, custom writing services comprising marketing and promotional materials for the audio, video and technology industries, provision of marketing reports, preparation of customized promotional and merchandising materials for others, Procurement of general business merchandising services, namely, marketing services for others
NOT-ONLY-FOR-PROFIT	85/433,677	4,108,939	Class 29: Healthy snacks, namely, food bars

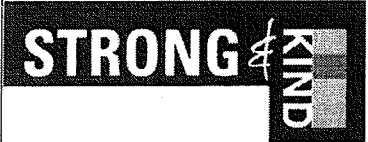
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## UNITED STATES APPLICATIONS/REGISTRATIONS

<u>TRADEMARK</u>	<u>APPLICATION NUMBER</u>	<u>REGISTRATION NUMBER</u>	<u>GOODS</u>
			comprised primarily of nuts, fruits and nuts, and also containing other ingredients
OUR SECRET INGREDIENT IS THAT WE HAVE NO SECRET INGREDIENTS	85/658,610	4,282,976	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
SPOIL YOUR DINNER WITH KIND	85/272,741	4,038,690	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
START SMALL	85/797,082	4,372,017	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
STRONG & KIND B&W Trade Dress 	86/259,273		Class 29: nut based snack bars; nut and seed based snack bars; seed based snack bars; nut snack bars
STRONG & KIND Color Trade Dress 	86/259,265		Class 29: nut based snack bars; nut and seed based snack bars; seed based snack bars; nut snack bars

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## UNITED STATES APPLICATIONS/REGISTRATIONS

STRONG & KIND DESIGN 	86/212,566	4,597,283	Class 29: nut based snack bars; nut and seed based snack bars; seed based snack bars; nut snack bars
THE NUTRITIONAL BOOST YOU NEED FROM A REAL FOOD BAR MADE WITH WHOLE NUTS AND FRUIT	77/794,160	3,990,614	Class 29: Fruit and nut bars, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
WAY GOOD, WEIGH BETTER.	85/658,609	4,285,966	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
WE LOOK BETTER NAKED	85/384,915	4,108,869	Class 29: Healthy snacks, namely, food bars comprised primarily of nuts, fruits and nuts, and also containing other ingredients
YOU SHOULDN'T HAVE TO CHOOSE BETWEEN HEAVEN AND HEALTH	77/949,007	3,959,239	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit
YOU'VE BEEN KINDED	77/903,892	3,849,708	Class 29: Healthy snacks, namely, nut and seed based snack bars; processed fruit-and nut-based food bars, nut based snack food bars, fruit based snack food bars also containing nuts, grains, cereals and dried fruit